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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: August 18, 2004 Name: Joseph F. Hetz Signature: [Signature]

**BRINKS  
HOFFER  
GILSON  
& LIONE**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: Vyvoda et al.

Appln. No.: 10/813,455

Filed: March 29, 2004

For: Multiple-Mode Memory and Method for  
Forming Same

Attorney Docket No: 10519-118

Examiner: T. Phan

Art Unit: 2818

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Transmittal Letter (1 page in duplicate); Response to Office Action (2 pages); Terminal Disclaimer to Obviate a Double Patenting Rejection Over a Prior Patent (1 page)
- ☒ Return Receipt Postcard

**Fee calculation:**

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

**Fee payment:**

- ☒ A check in the amount of \$110 is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_ . A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

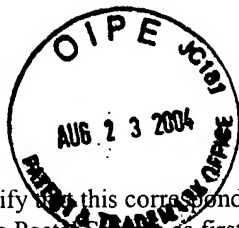
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Joseph F. Hetz (Reg. No. 41,070)

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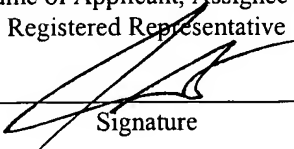
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Date of Deposit

Joseph F. Hetz - Reg. No. 41,070

Name of Applicant, Assignee or  
Registered Representative

  
Signature

Patent  
Our Case No. 10519/118

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)		
Vyvoda et al.	)		
	)	Examiner:	T. Phan
Serial No.: 10/813,455	)		
	)	Group Art Unit:	2818
Filed: March 29, 2004	)		
	)		
For: Multiple-Mode Memory and	)		
Method for Forming Same	)		

**RESPONSE TO OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please enter the following amendment and remarks in response to the Office Action  
mailed August 6, 2004.